

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

BELINDA STARKS, o/b/o J.L.W.,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION NO. 2:07cv539-WC
)	
MICHAEL J. ASTRUE,)	
Commissioner of Social Security,)	
)	
Defendant.)	

ORDER ON MOTION

On June 18, 2008, Plaintiff moved the Court for an Award of Attorney's Fees Pursuant to the Equal Access to Justice Act (Doc. #19). Plaintiff's motion requests the Court to award attorney's fees directly to counsel because Plaintiff signed a fee agreement, in which she assigned any fees awarded to her attorney. The Commissioner does not contest the award of fees. Def.'s Response (Doc. #21).

On May 5, 2008, the Eleventh Circuit Court of Appeals decided Reeves v. Astrue, ___ F.3d ___, 2008 WL 1930587 (11th Cir. May 5, 2008) (No. 07-11404), which unambiguously held that "attorney's fees are awarded to the prevailing party, not to the prevailing party's attorney." Id. Accordingly, upon consideration of the Motion and for good cause, it is

ORDERED as follows:

1. Plaintiff's Motion (Doc. #19) for attorney's fees is GRANTED in the

amount of \$2,174.51.

2. Because § 2412(d)(1)(A) authorizes the Court to award fees to the prevailing party, rather than the prevailing party's attorney, see 28 U.S.C. § (d)(2)(B); Reeves v. Astrue, ___ F.3d ___, 2008 WL 1930587 (11th Cir. May 5, 2008) (No. 07-11404), Plaintiff's request that fees be paid directly to counsel is DENIED.

DONE this 3rd day of July, 2008.

/s/ Wallace Capel, Jr.
WALLACE CAPEL, JR.
UNITED STATES MAGISTRATE JUDGE